

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

THOMAS EDWARD BLANKENSHIP	§	
TDCJ-CID #1173268	§	
V.	§	C.A. NO. C-06-43
	§	
TDCJ DIRECTOR BRAD LIVINGSTON	§	

**OPINION AND ORDER OF TRANSFER**

This is a habeas action filed by a state prisoner incarcerated at TDCJ-CID's work camp in Beeville, Texas (D.E. 1). Petitioner states that he was convicted and sentenced on May 13, 2003, in the 355<sup>th</sup> Judicial District Court of Hood County, Texas.

A habeas action may be filed either in the district where petitioner is in custody or in the district in which petitioner was convicted. 28 U.S.C. § 2241(d); Wadsworth v. Johnson, 235 F.3d 959 (5th Cir. 2000). Petitioner is incarcerated in Bee County, Texas, which is located in the Corpus Christi Division of the Southern District of Texas, 28 U.S.C. § 124(b)(6), and he was convicted by a court located in the Fort Worth Division of the Northern District of Texas. 28 U.S.C. § 124(a)(2).

For the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought. 28 U.S.C. §§ 1404(a) and 1406(a). Because petitioner was convicted in Hood County, it is more convenient for the action to be handled in the Fort Worth Division of the Northern District of Texas. The records of his conviction, the prosecutor and defense lawyer, and the witnesses are all located in the Fort Worth Division of the Northern District of Texas.

Accordingly, it is ordered that the Clerk of the Court TRANSFER this action to the United States District Court for the Northern District of Texas, Fort Worth Division.

ORDERED this 6<sup>th</sup> day of February, 2006.



B. JANICE ELLINGTON  
UNITED STATES MAGISTRATE JUDGE